



TIFFANY & BOSCO
P.A.

Dated: April 14, 2010

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A handwritten signature in black ink, appearing to read "George B. Nielsen, Jr.", is written over a horizontal line.

GEORGE B. NIELSEN, JR
U.S. Bankruptcy Judge

Mark S. Bosco
State Bar No. 010167
Leonard J. McDonald
State Bar No. 014228
Attorneys for Movant

10-04328

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

IN RE:
Daniel E. Holmes and Tracy S. Holmes
Debtors.

HSBC Bank USA, National Association, as Trustee
for DBALT 2005-AR2
Movant,

vs.

Daniel E. Holmes and Tracy S. Holmes
Debtors; Diane M. Mann, Trustee.

Respondents.

No. 2:10-bk-01886-GBN

Chapter 7

O R D E R

(Related to Docket #21)

Hearing Date: April 12, 2010

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed by U.S. Bankruptcy Code 362(a) are hereby terminated as to Movant with respect to that certain real property which is subject of a Deed of Trust dated July 5, 2005, and recorded in the office of the Maricopa County Recorder wherein HSBC Bank USA, National Association, as Trustee for DBALT 2005-AR2 is the current beneficiary and Daniel E. Holmes and Tracy S. Holmes have an interest in, further described as:

LOT NR2

THAT PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE CENTER OF SAID SECTION;

THENCE NORTH 00 DEGREES 04 MINUTES 24 SECONDS EAST, ALONG SAID NORTH-SOUTH MIDSECTION LINE, 661.72 FEET;

THENCE SOUTH 89 DEGREES 28 MINUTES 22 SECONDS WEST 986.27 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION;

THENCE NORTH 00 DEGREES 05 MINUTES 33 SECONDS EAST, ALONG THE WEST LINE OF SAID EAST HALF, 266.02 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 05 MINUTES 33 SECONDS EAST ALONG THE WEST LINE OF SAID EAST HALF, 298.87 FEET;

THENCE SOUTH 68 DEGREES 39 MINUTES 32 SECONDS EAST, 176.33 FEET;

THENCE SOUTH 00 DEGREES 05 MINUTES 22 SECONDS WEST, ALONG THE EAST LINE OF THE WEST HALF OF SAID EAST HALF, 233.19 FEET;

THENCE SOUTH 89 DEGREES 28 MINUTES 22 SECONDS WEST 164.36 FEET TO THE POINT OF BEGINNING;

EXCEPT ALL MINERALS AS RESERVED IN PATENT TO SAID LAND; AND

EXCEPT ALL URANIUM, THORIUM, OR OTHER MATERIAL WHICH IS OR MAY BE DETERMINED TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF FISSIONABLE MATERIALS, WHETHER OR NOT OF COMMERCIAL VALUE, PURSUANT TO THE PROVISIONS OF THE ACT OF AUGUST 1, 1946 (60 STAT. 755) AS SET FORTH ON THE PATENT ON SAID LAND.

IT IS FURTHER ORDERED that this Order vacating the automatic stay imposed by U.S. Bankruptcy Court Code 362(a) shall be binding and effective in the event the Debtors converts this case to another chapter under the U.S. Bankruptcy Code.

UNITED STATES BANKRUPTCY JUDGE